Remarks

In the Office Action, claims 1-7, 14-15, 17-31, and 33-42 are rejected under 35 USC 103(a) as being unpatentable over United States Patent No. 6,067,018, issued to Shelton, et al. (Shelton). The rejection sets forth in detail the features of Shelton which are said to render the claims obvious. In regard to claim 1, Shelton is said to teach a web host computer connected to the Internet, and that the web host computer has a memory; and a pet location unit carried by the pet for calculating the location of the pet at any time; the host computer is said to receive a tracking request from the subscriber and receives back location data from the pet location unit automatically; the host computer transmits the location data to the subscriber, whereupon the location of the pet is displayed on the subscriber's terminal. This description is not entirely correct, as will be shown below.

The rejection notes that Shelton does not explicitly teach where the above is performed by the host computer. The rejection concludes that it would be obvious to one ordinarily skilled in the art at the time the invention was made, given Shelton's suggestion of initiating a call location data request only upon demand to conserve the battery power within the collar, and his teachings for automatically generating periodic tracking request calls to the paging device at the pet's collar, to further automate these calls at the Internet server, to which Shelton's pet owner logs onto to access location data via his personal computer. The rejection further concludes, without a specific teaching, that one skilled in the art would be motivated to modify Shelton's system to request and subsequently obtain a web page of the pet's location by logging onto the Internet server which will further enable the server either to either provide the location to the owner, or provide the owner with the most recent periodic tracking call automatically generated by the Internet server monitoring the pet's location.

14

Regarding claim 2, the rejection sets forth column and line numbers which are said to teach the particular method of operation and computer instructions claimed and disclosed for automatically receiving a tracking call and processing the tracking call to provide a map display to a subscriber at a remote personal computer. For reasons set forth below, applicant respectfully traverses the positions taken in the rejection as these features are not taught by Shelton, nor rendered obvious thereby.

Claims 3-5, 7, 10, and 11, also recite computer instructions executed by the web host computer which are treated generally by the rejection with a statement such as the computer program instructions on the web host perform the above mentioned functions, referring to Shelton, and therefore the same rational of rejection is applicable to the software implementation.

Reconsideration of the rejection and favorable consideration of the pending claims is respectfully requested for the reasons set forth below.

Shelton does not render obvious the claim as set forth in the rejection because Shelton is directed to an entirely different concept than the present invention, and the cited references to the Shelton specification, when considered in the context of the present invention, does not meet the limitations of the claims, nor render them obvious. Fundamentally, Shelton is not the same concept, system, or method because the tracking call is initiated by the subscriber over a telephone network, not the Internet. The only use of the Internet is to display a map received over a telephone network from an intermediate control unit. Shelton is not an internet based tracking system as claimed, as shown more fully below.

Shelton is directed to the concept of a lost pet notification system that includes three elements (1) a pet collar that automatically activates an alarm once the pet becomes lost, (2) a portable hand held unit (cordless telephone) that continually

15

monitors the location of the pet, and (3) a base station that automatically transmits a signal to the owner once the portable unit determines the pet is lost. As disclosed, the portable unit 112 sits in a base station 120 which maintains the portable unit charged, much like a cordless telephone and base station. The collar includes a housing which holds an alarm device, including a speaker 103 that produces a loud chirping sound. The portable unit transmits a continual polling signal over a communications link 108, a wireless cell phone system, and each time the pet collar receives a polling signal, it sends back a reply signal to the portable unit. This mode of hand shaking continues while the pet collar 102 remains in the transmission range of the portable unit. Should the pet travel outside the transmission range, the pet collar fails to detect the polling signal and after a predetermined time, enters an alarm condition. The base unit contains a number of stored telephone numbers, which are activated when the alarm signal is received back at the base station. Once the notification signal is received at the base station, it automatically places a telephone call over a telephone system to a remote telephone 44 of the pet owner. When the call is answered the base station plays a prerecorded message to notify the pet owner that the pet has strayed beyond the transmission range. The base station may also repeat this process for other stored telephone numbers and associated messages.

In an alternative embodiment, a GPS unit 402 and two-way paging unit 306 are located in the pet collar 102. The GPS unit is activated by transmitting a code to the pet collar using the portable system, for example by depressing the number 3 on the dial pad of the portable unit. The paging unit on the pet collar transmits GPS information to a monitoring center 416. The monitoring center processes the location information, such as a map, which then passes the map to the pet owner using a telephone network. Alternately the owner may receive the location information directly from the pet collar, or

16

by dialing into the monitor center using a standard telephone. The monitoring center may also send and post the location information, such as a map, on a web page on the Internet, and the pet owner may log onto the web site using a personal computer, providing the pet identification number, and view the location as a map image on the computer screen.

The monitoring center 416 may also be the pet owner's personal computer. In all of the above, Shelton teaches that the notification signal to the pet owner is initiated by the pet collar in response to a failure of the pet collar to receive polling signals from the portable unit. This is a fundamental departure from the invention claimed and disclosed in the present invention and renders all the teachings of Shelton more or less not relevant or compatible. Further, Shelton teaches only to display a location map on a web page of an Internet server after a pet owner has sent an activation signal to the GPS unit on the pet collar. Shelton does not disclose an integrated pet tracking system fully using an Internet system in a comprehensive manner to coordinate pet tracking as claimed and disclosed in the present invention. That is the main reason why Shelton does not teach or render obvious the computer program executed by a host server communicating over the Internet with the subscriber user and the pet location unit. Shelton is not a fully integrated system and does not teach or disclose to one of ordinary skill in the art how to make such a system. For example, Shelton does not disclose a web host interconnected to the Internet and computer program residing on the web host containing input instructions, processing instructions, communication instructions, location instructions, and a display module with display instructions as set forth in claim 1, and the other computer program instructions recited in claims dependent on claim 1 because Shelton does not carry out these functions on a web host in an internet based system as claimed and disclosed by applicant. The only use

17

Shelton makes of the Internet is displaying a location map on the Internet so that a pet owner may look at the location, or retrieve the location map, after the pet owner has (1) sent a polling signal to a pet collar unit, and the pet collar unit has sent back GPS location information to a control unit that sends this information on an Internet system. The claims dependent on claim 1 are allowable for the same reasons as claim 1 and because of the further limitations contained therein. For example, the additional computer instructions recited for the web host, the computer instructions recited for the processor of the portable location unit, and other features of the location unit making it suitable for use with low power requirements, such as the low power digital packet containing digital data only and no voice component as set forth in the claims, namely claim 12.

In regard to new independent claim 43, this claim is also believed to be patentable setting forth a unique Internet tracking system having a host computer, location unit processor, and subscriber terminal, all integrated over the Internet. The host computer program and the location unit program are set forth having instructions for carrying out the automatic process of receiving a tracking request from the user over the Internet, and relaying a tracking call to the location unit which automatically answers the tracking call and returns the information back to the web host over the Internet to be viewed by the user. The instructions are distinctly claimed and pointed out. The claims dependent on claim 43 are likewise believed to be in condition for allowance and because of the further limitations contained therein, including the low power digital data packet, instructions for standby mode after receiving a tracking call, and transmitting GPS data, as called for in claims 46 through 48.

New independent claim 51 is believed to be in condition for allowance for setting forth an Internet base computerized system for tracking a pet and the like which points

18

out the particularity of the low power location unit and low power digital data packet generated by the processor, along with distinctly claiming the instructions for automatic operation. Defendant claims 52 through 55 are believed to be in condition for the same reasons, and because of the further limitations therein.

New independent claim 56 is a method claim setting forth a new and unobvious method for locating a portable location unit carried by a pet and the like patterned after the aforesaid system claims, and is believed to be allowable for the same reasons. New independent method claims 57 and 58 are believed to be in condition for the same reason as claim 56 and because of the further limitations contained therein.

It is now believed that all of the claims are in condition for allowance. Favorable action on the claims and passing of the case to issue are respectfully requested in due course of Patent Office business.

Respectfully submitted,

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